

1 Vanessa R. Waldref
2 United States Attorney
3 Eastern District of Washington
4 Brian M. Donovan
5 Assistant United States Attorney
6 Post Office Box 1494
7 Spokane, WA 99210-1494
8 Telephone: (509) 353-2767

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 \$43,112.00 U.S. CURRENCY,
15 2013 JEEP GRAND CHEROKEE,
16 2015 CHEVROLET SILVERADO,

17 Defendants.

18 VERIFIED COMPLAINT FOR
19 FORFEITURE *IN REM*

20 Plaintiff, United States of America, by its attorneys, Vanessa R. Waldref,
21 United States Attorney for the Eastern District of Washington, and Brian M. Donovan,
22 Assistant U.S. Attorney, brings this complaint and alleges as follows in accordance
23 with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

24 **I. NATURE OF THE ACTION**

25 1. This is an action to forfeit and condemn to the use and benefit of the
26 United States of America the above-captioned Defendant property seized by the
27
28

1 United States Drug Enforcement Administration for violations of Title II of the
2 Controlled Substances Act, 21 U.S.C. § 801 et seq.

3
4 **II. THE DEFENDANT(S) *IN REM***

5 2. The Defendant property consists of the following property:

- 6 - \$16,360.00 U.S. currency;
7
8 - \$26,752.00 U.S. currency;
9 - a 2013 Jeep Grand Cherokee, Washington License Number:
10 BVV8759, VIN: 1C4RJFDJXDC580971; and,
11 - a 2015 Chevrolet Silverado 2500, Washington License Number:
12 C36459X. VIN: 1GC1KXE89FF633849

13 **III. JURISDICTION AND VENUE**

14 3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn
15 the Defendant property. This Court has jurisdiction over an action commenced by the
16 United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28
17 U.S.C. § 1355(a). This Court has *in rem* jurisdiction over the Defendant property
18 under 28 U.S.C. § 1355(b).
19

20
21 4. Upon the filing of this complaint, Plaintiff requests that the Court issue
22 an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which Plaintiff will
23 execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule
24 G(3)(c).
25

26 5. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1),
27 because the acts or omissions giving rise to the forfeiture occurred in this district.
28

IV. BASIS FOR FORFEITURE

6. Plaintiff repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 5 above.

7. The Defendant property is liable to condemnation and forfeiture to the United States for its use, in accordance with the provisions of 21 U.S.C. § 881(a)(6), because it constitutes: 1) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; 2) proceeds traceable to such an exchange; and/or 3) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act.

V. FACTS

A. 2020 Investigation

8. On March 3, 2020, Drug Enforcement Agency (DEA) Tri Cities Task Force Officers (TFO) Daniel Ward and Chris Bennett interviewed a former confidential source (CD1) in Pasco, Washington.¹ CD1 identified an individual that

¹ In January 2016, CD1 was signed up with Tri-Cities METRO Task Force as a Confidential Informant (CI). On February 5, 2016, CD1 was observed by METRO Detectives entering a known drug residence without direction from METRO Detectives. CD1 was contacted and advised that he/she was at the residence and purchased heroin due to his/her opioid addiction. CD1 was terminated as a CI for the violation of his/her contract at the time. As noted above, in March 2020, CD1 was in custody on unrelated matters and interviewed. Based in part on the information provided, March 6, 2020, CD1 was re-activated by Tri-Cities METRO as a CI and agreed to provide information for consideration on an outstanding felony crime. CD1 at this time had been convicted of two felony crimes, two gross misdemeanor crimes, VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -3

1 goes by the name of “Chuy” as their source of fentanyl laced tablets. TFO Ward knew
2 “Chuy” to be Marcelino Flores from prior interviews and investigations. It is not
3 uncommon for drug traffickers to communicate services under the name of a fictitious
4 person for the purpose of concealing their drug trafficking activities and to insulate
5 themselves from detection by law enforcement.
6

7
8 9. CD1 stated they knew Marcelino Flores (M-Flores) for three years as
9 well as M-Flores’s brother, Juan Flores (J-Flores). CD1 stated they knew M-Flores to
10 sell large quantities of fentanyl laced tablets, crystal “ice” methamphetamine, black tar
11 heroin, cocaine, marijuana, and firearms.
12

13 10. TFO Ward reviewed numerous text messages between CD1 and M-
14 Flores related to purchasing narcotics. TFO Ward did not see any responses on the
15 text threads from M-Flores as CD1 advised that M-Flores did not like to text in
16 reference to narcotics. When TFO Ward cross referenced the phone number CD1
17 provided as M-Flores’s number with the phone number M-Flores had given law
18 enforcement from previous contacts, it was the same number: 509-439-3913.
19
20

21 11. Administrative subpoenas to Cellco/Verizon Wireless Corporation for the
22 dates of January 6, 2020, through May 18, 2020, for the subscriber information and
23 toll records related to 509-439-3913 confirmed the account holder as M-Flores with
24 the associated address of 1101 S. 10th Street Sunnyside, Washington. The address is
25
26

27
28 and two misdemeanor crimes. On March 17, 2020, CD1 was terminated as a CI at
his/her request. Plaintiff is not aware of any issues as to reliability with CD1.
VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -4

1 associated with M-Flores's parents. The phone number at that time was active, with an
2 activation date of September 27, 2018.

3
4 12. TFO Ward requested CD1 to place a recorded phone call to M-Flores and
5 order 200 fentanyl-laced tablets. CD1 advised TFO Ward that fentanyl-laced tablets
6 were referred to as "Skittles" when ordering from M-Flores. When CD1 called M-
7 Flores to ask for 200 "Skittles," M-Flores requested that CD1 make payment to him
8 with food stamps for the 200 "Skittles."
9

10 13. On March 6, 2020, TFO Thomas Orth observed several Snapchat videos
11 posted by "Howie Flores," an additional nickname utilized by M-Flores. The first
12 video was of a driveway and vehicles with a male voice asking which vehicle he
13 should drive for the day. TFO Ward recognized the location as 2219 Carriage Avenue,
14 Richland, Washington. TFO Ward knew that address to be associated with M-Flores
15 through contacts at the residence and prior investigation.
16

17
18 14. On the same day, TFO Orth received a query from the Washington State
19 Department of Licensing for the vehicles registered to Virginia Vargas (V-Vargas),
20 identified as the girlfriend of M-Flores. The query showed 16 vehicles registered to
21 her. Drug traffickers often keep items registered in the names of other trusted
22 individuals and often store them with the trusted individuals in order to avoid
23 discovery by law enforcement.
24
25
26
27
28

1 15. TFO Orth viewed other videos posted by “Howie Flores” that positively
2 identified the male recording as M-Flores and featured advertising for the sale of what
3 TFO Orth recognized from his training and experience to be marijuana.
4

5 16. On June 5, 2020, TFO Ward observed via Snapchat that M-Flores was in
6 Los Angeles, California. Special Agent (SA) Kurt Mitchell ran a query on the white
7 Lexus coupe bearing a California license plate #8MCM034 that it appeared M-Flores
8 and V-Vargas were driving. The white Lexus coupe was registered to Edwin Salvador
9 Campos, of Van Nuys, California.
10

11 17. On June 6, 2020, TFO Orth monitored M-Flores’s GPS cellular ping
12 headed northbound on Highway 97 through Oregon towards Washington. TFO Orth
13 observed the Lexus arrive in Wasco, Oregon and positively identified the driver as M-
14 Flores and the front seat passenger as V-Vargas.
15
16

17 18. TFO Orth contacted Washington State Patrol K-9 Trooper Michael
18 Christenson and requested that he perform a stop of the white Lexus. After the traffic
19 stop, K-9 Trooper Christenson reported to TFO Orth that he ran his K-9 around the
20 exterior of the white Lexus and searched the interior of the vehicle and did not locate
21 any contraband.
22
23

24 19. On June 16, 2020, while monitoring M-Flores’s authorized GPS cellular
25 ping, TFO Orth noticed M-Flores was traveling to Spokane, Washington. SA Savage
26 located M-Flores in the area of the Northtown Mall, Spokane, Washington. SA
27
28

1 Wiseman located a black Toyota Sequoia bearing Washington place #BSC2984
2 registered to V-Vargas, parked in the parking lot north of Macy's.

3
4 20. SA Savage observed M-Flores and a young Hispanic male exit the mall
5 and walk to the Toyota. Shortly after, a Hispanic female and a juvenile exited the
6 mall. SA Savage observed M-Flores enter the driver's seat of the Toyota Sequoia and
7 the female – believed to be V-Vargas – enter the front passenger seat, and four
8 individuals enter the back seats. M-Flores repositioned the Toyota Sequoia in the mall
9 parking lot.
10

11
12 21. SA Savage observed a male, later identified as Christopher Valle, hand a
13 flat dark bag, approximately the size of a bank bag, into the passenger side of the
14 Toyota Sequoia to the female passenger – believed to be V-Vargas. SA Savage did not
15 see Valle receive anything from the Toyota Sequoia. The transfer of bag is consistent
16 with a hand delivery of drug proceeds or a cash payment to M-Flores.
17

18
19 22. SA Savage observed Valle leave the Toyota Sequoia and walk to a silver
20 Toyota Tacoma bearing Washington plate #C68881R. Per SA Savage's request,
21 Spokane Police Department Sgt Beau Brannon conducted a traffic stop on the Toyota
22 Tacoma and identified the driver as Valle.
23

24 23. Shortly after the traffic stop, TFO Orth noticed that M-Flores's GPS
25 pings stopped, and the following day M-Flores had discontinued his cellular device.
26 TFO Orth believes Valle likely contacted M-Flores after the traffic stop and advised
27 him of the traffic stop the day before and that is why M-Flores disconnected the 509-
28 VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -7

1 439-3913 number associated with him. After M-Flores disconnected his phone, he
2 became very difficult to contact to further the investigation. It was not until June
3 2021 that TFO Orth re-engaged the investigation.

4
5 B. Controlled Buy From M-Flores and Further Investigation

6 24. In June 2021, TFO Orth was advised of a METRO Confidential Source
7 (CS) who advised that they could purchase fentanyl tablets from M-Flores, as they had
8 known M-Flores for a few years and had purchased fentanyl tablets from M-Flores in
9 the past. The CS stated that J-Flores was working with M-Flores in the distribution of
10 fentanyl and that M-Flores was J-Flores's source of supply. The CS stated J-Flores
11 supplied small quantities of fentanyl tablets and M-Flores distributed the larger "boat"
12 (1,000 fentanyl tablets) quantities of fentanyl tablets.

13
14
15 25. On July 8, 2021, Detective Ward, SA Lindsey Wood, and TFO Orth met
16 with the CS at a pre-determined location in Richland, Washington. The CS and their
17 vehicle were searched, and no contraband or money was located.

18
19 26. TFO Orth requested CS call M-Flores's current identified phone number-
20 509-439-1530. When M-Flores did not answer, CS texted M-Flores asking to meet up
21 to purchase 50 fentanyl tablets. M-Flores responded and set up a meeting at Leslie
22 Groves Park (40 Park Street, Richland, WA).

23
24 27. Detective Ward gave the CS covert audio/video recording devices, \$350
25 U.S. currency, and escorted the CS to Leslie Groves Park. CS contacted M-Flores via
26 text that they arrived. Shortly thereafter, M-Flores responded to the CS.

1 28. METRO Detective Miguel Ayala advised surveillance units that M-
2 Flores had entered the passenger side of a white Chevrolet Silverado bearing
3 Washington plates #C36459X registered to Mary Louis Olvera (one of the Defendant
4 vehicles identified herein) parked in the driveway of the Carriage Avenue residence
5 with an unknown male adult in the driver's side. M-Flores drove the Defendant
6 Chevrolet Silverado to the buy location without making any stops.
7

8
9 29. Detective Nash advised surveillance units of the subject vehicle's arrival
10 and parked next to CS's vehicle. Detective Nash advised surveillance units that M-
11 Flores exited the Defendant Chevrolet Silverado, went to the CS's vehicle, and
12 conducted a hand-to-hand transaction with the CS.
13

14 30. During the transaction, M-Flores spoke to the CS regarding the
15 distribution of fentanyl, complained about not finding trustworthy distributors, and
16 discussed how M-Flores checks them out before he will utilize them to distribute his
17 product or sell to as customers. M-Flores also bragged about his \$40,000 cash
18 purchase of the Defendant Chevrolet Silverado. TFO Orth knows from employment
19 records and surveillance and prior investigation, that M-Flores does not have
20 legitimate employment.
21
22

23 31. As M-Flores left the buy, Detective Nash and additional surveillance
24 units followed the Defendant Chevrolet Silverado. Detective Nash noted the vehicle
25 was driving in circles around the area conducting counter surveillance on its way back
26 to the Carriage Avenue residence.
27
28

1 32. TFO Orth and Detective Ward escorted the CS to a predetermined
2 location. There, the CS relinquished a clear sandwich bag containing suspected blue
3 fentanyl tablets marked M-30. The CS and their vehicle were searched by TFO Orth
4 in which no money or contraband was located. The CS confirmed the events and
5 advised that they handed the \$350 of U.S. currency to M-Flores in exchange for the
6 suspected fentanyl tablets. The fentanyl was tested at Western States Laboratory and
7 yielded a positive result for the presence of fentanyl.
8

9
10 33. On September 10, 2021, while conducting surveillance of the Carriage
11 Avenue residence, detectives observed the Defendant Chevrolet Silverado parked on
12 the street in front of the home and a white Chevrolet Tahoe WA#BJB0026 parked in
13 the driveway. Detective Ward observed M-Flores and J-Flores enter the white
14 Chevrolet Tahoe.
15
16

17 34. Surveillance units followed the Chevrolet Tahoe to the Regency Park
18 Apartments (3003 Queensgate Drive, Richland, Washington). M-Flores and J-Flores
19 exited the Chevrolet Tahoe and entered the breezeway of Building 8 and walked up to
20 the 3rd floor. In July 2021, Detective Ward received information from the CS that
21 Maila Burrows and Kari Berg live in building 8 of the Regency Park Apartments.
22 Detective Ward knew from prior investigations that Burrows and Berg have been
23 identified as fentanyl tablet distributors operating in the Tri-Cities, Washington area.
24 The CS advised Detective Ward that M-Flores was their fentanyl supply source.
25
26
27
28

1 35. On October 1, 2021, the CS was instructed by Detective Ward to call M-
2 Flores and talk about larger amount purchases of fentanyl. M-Flores did not answer.
3 TFO Orth and Detective Ward know M-Flores is a “boat” (1,000 fentanyl tablets)
4 level distributor and suspect M-Flores was not answering due to his reluctance to sell
5 small quantities of fentanyl tablets.
6

7
8 C. Search of M-Flores’ Residence and Vehicles

9 36. In October 2021, agents discovered M-Flores and V-Vargas were in the
10 process of moving to a new residence located at 1101 Thor Avenue, Benton City,
11 WA. On October 8, 2021, the agents obtained a federal search warrant for the Thor
12 Avenue residence.
13

14 37. On the morning of October 12, 2021, DEA agents, METRO drug task
15 force agents, and members of the Kennewick Police Department and Benton County
16 Sheriff’s Office established surveillance around the Thor Avenue residence. Agents
17 observed a white Jeep Grand Cherokee, bearing Washington State license plate
18 #BVV8759 (one of the Defendant vehicles identified herein) leave the Thor Avenue
19 residence. M-Flores and V-Vargas were in the Defendant Jeep Cherokee.
20
21

22 38. Agents coordinated with Benton County Officers to conduct a traffic stop
23 on the Defendant Jeep Cherokee. Officers placed M-Flores into custody pursuant to
24 the federal arrest warrant issued for him.
25

26 39. During the traffic stop, other agents executed the search warrant for the
27 Thor Avenue residence. A juvenile male was the only occupant in the property when
28
VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -11

1 the warrant was executed. Upon entry, TFO Slocombe observed the Thor Avenue
2 residence was mostly empty. The detached garage was full of possessions staged to go
3 into the house; there were also two vehicles inside, but most items were in boxes.
4

5 40. During the search of the Thor Avenue residence, the following items
6 were located and seized:
7

- 8 • 168.3 gross grams of blue pills marked with M30 suspected to contain
9 fentanyl in the basement living room;
- 10 • 123.2 gross grams of suspected psilocybin mushrooms;
- 11 • 249.8 gross grams of suspected marijuana;
- 12 • \$26,752.00 U.S. currency in a suitcase in the master bedroom on the top
13 shelf of the master closet;
- 14 • One box of Hornady ammunition 45 auto;
- 15 • One box PMC Bronze ammunition 45 auto;
- 16 • Two Springfield Armory 45 auto magazines;
- 17 • Nine boxes of miscellaneous ammunition;
- 18 • .45 caliber pistol found in a box labeled baby clothes in the detached
19 garage;
- 20 • One CMMG brand short-barreled rifle with a loaded drum found in a box
21 labeled "Dad's stuff" in the detached garage;
- 22 • One box of 45 ammunition and two Glock magazines found in the safe in
23 the detached garage.

24 41. During the search of the Thor Avenue residence, agents executed a
25 search warrant on the Defendant Chevrolet Silverado, which was located on the
26 property. During the search, agents located a blue Motorola cellular phone on the rear
27 seat of the vehicle. Agents also located \$220 in U.S. currency in the sunglasses
28

1 compartment in the vehicle. When agents removed the U.S. currency, they located a
2 small clear bag containing four suspected fentanyl tablets within the U.S. currency.
3

4 42. When agents asked V-Vargas if the U.S. currency located within the
5 vehicle was belonged to her, she stated, “Yes.” When V-Vargas was advised that the
6 U.S. currency was co-mingled with suspected fentanyl, she contradicted herself and
7 stated that the U.S. currency did not belong to her.
8

9 43. On October 14, 2021, TFO Orth executed a federal search warrant on the
10 Defendant Jeep Cherokee. During the search, TFO Orth located a blue Motorola cell
11 phone in the driver’s door compartment and a fanny pack in the front passenger seat
12 containing \$16,360 U.S. currency wrapped in rubber bands. In the center console,
13 agents located M-Flores’s Washington State Driver’s License with the listed address
14 on the license being 1101 S 10th Street, Sunnyside, Washington. During the vehicle
15 stop on October 12, 2021, when questioned about the contents of the fanny pack, V-
16 Vargas claimed it contained \$10,000 in cash from their t-shirt business.
17
18
19

20 C. Interview of M-Flores

21 44. Following the traffic stop on October 12, 2021, M-Flores was placed into
22 custody. Agents met with M-Flores and interviewed him about his criminal conduct.
23 During his post-*Miranda* warning interview, M-Flores stated he had been in the
24 business of selling drugs for approximately two years because he needed to make
25 money. SA Mitchell advised M-Flores that the people searching their Thor Avenue
26 residence located a bag of approximately 1,000 fentanyl pills on the table in the
27
28
VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -13

1 downstairs of the residence. M-Flores stated that was consistent with how much he
2 normally had. As the interview progressed, M-Flores was being evasive in his
3 answering and advised the agents that it would be better that he did not continue to
4 talk.
5

6 D. Interviews of V-Vargas
7

8 45. Following the traffic stop of M-Flores and V-Vargas on October 12,
9 2021, agents questioned V-Vargas after reading her a *Miranda* warning. When
10 interviewed by TFO Ward, V-Vargas stated she knew nothing about M-Flores's drug
11 trafficking activities. TFO Ward then asked V-Vargas about her and M-Flores's home
12 business(es) and V-Vargas told the agents her husband had a t-shirt/decal business.
13 She estimated earning \$3,200 in the first month and \$9,500 after that, but did not
14 specify whether that was revenue or profit. V-Vargas also stated she and M-Flores
15 made money through their bouncy house business and through M-Flores's work as a
16 chef. V-Vargas stated that M-Flores and a friend would go out of town on trips to
17 cook for events and parties.
18
19
20

21 46. TFO Ward then asked V-Vargas if there were any firearms located in the
22 Thor Avenue residence and she stated there was a .45 caliber gun in the safe, in the
23 outside shop. TFO Ward and SA Mitchell subsequently transported V-Vargas back to
24 the Thor Avenue residence.
25

26 47. Back at the Thor Avenue residence, while the search warrant was being
27 executed, GS Savage interviewed V-Vargas. V-Vargas stated she worked in the
28
VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -14

1 medical field at the same place for approximately the last 9 years and earned
2 approximately \$35,000. V-Vargas stated the family made \$11,000 in 2020 from their
3 seasonal bounce house business. When asked how much money V-Vargas made from
4 their t-shirt business she stated approximately \$3,200 in their first quarter of 2021,
5 \$8,500 in the second quarter of 2021, and approximately \$10,000 for their third
6 quarter 2021. When asked is V-Vargas had records of her sales and kept books for the
7 business she stated she did not.
8
9

10 48. V-Vargas told GS Savage they were slated to make approximately
11 \$168,000 on the sale of the Carriage Avenue residence and that \$100,000 was going to
12 be used as a down payment on their pending Thor Avenue residence purchase, with
13 the remaining \$68,000 to be used to remodel. GS Savage asked if they had ever come
14 into any significant money and V-Vargas stated she received approximately \$90,000
15 through Social Security Administration for her children after her father died a few
16 years prior. V-Vargas stated some of that money was used to purchase the Carriage
17 Avenue residence.
18
19
20

21 49. In February 2020, Investigative Analyst Brendan Beckley submitted an
22 administrative subpoena to Washington State Employment Security Department of the
23 employment history and unemployment history of V-Vargas. Washington State
24 Employment Security Department reported that V-Vargas was employed by Quality
25 Centers, Walla Walla, Washington. V-Vargas reported wages of \$26,597.82 in 2018
26 and \$29,048.60 in 2019. When asked if the income from her businesses were reported
27
28

1 on the W-2s, V-Vargas stated that the income generated from the side business was
2 not enough to meet the threshold for reportable income.

3
4 E. Indictment of M-Flores

5 50. On October 6, 2021, M-Flores was indicted by a federal grand jury for
6 one count of Distribution of Fentanyl in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C)
7 based on the July 8, 2021, controlled buy described herein in the matter *United States*
8 *v. Marcelino Flores, et al.*, 4:21-cr-6036-SAB (E.D. Wash.).

10 51. On November 3, 2021, the grand jury returned a Superseding Indictment
11 against Marcelino Flores and others, charging M-Flores with one count of Conspiracy
12 to Distribute 40 Grams or More of Fentanyl in violation of 21 U.S.C. §§ 841(a)(1),
13 (b)(1)(b)(vi) and 846; one count of Distribution of Fentanyl in violation of 21 U.S.C.
14 § 841(a)(1), (b)(1)(C); and one count of Possession with Intent to Distribute 40 grams
15 or More of Fentanyl in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(vi). ECF No. 31.
16 The Superseding Indictment included a Notice of Forfeiture notifying M-Flores of the
17 United States' intention to seek forfeiture of the Defendant currency identified herein.
18
19

20 52. On January 7, 2022, a Bill of Particulars for Forfeiture of Property was
21 filed by the United States. ECF No. 106. It provided notice to M-Flores of the United
22 States' intention to seek forfeiture of the Defendant Chevy Silverado and Defendant
23 Jeep Cherokee. *Id.*

24 53. The parties thereafter negotiated a plea agreement, which provided for
25 forfeiture of the Defendant property. A change of plea hearing was scheduled for
26
27
28 VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -16

1 February 14, 2023. However, prior to the hearing, M-Flores fled and is now a fugitive.
2 ECF No. 172.

3
4 F. Information Obtained from Co-Defendants

5 54. The November 3, 2021, Superseding Indictment referenced above
6 included counts against M-Flores's co-defendants Matthew Young ("Young") and
7 Bailey Renee Nelson ("Nelson"). *United States v. Marcelino Flores, et al.*, 4:21-cr-
8 6036-SAB (E.D. Wash.), ECF Nos. 32 and 33. The Superseding Indictment charged
9 Young and Nelson with one count of Conspiracy to Distribute 40 Grams or More of
10 Fentanyl in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(b)(vi) and 846; one count of
11 Possession with Intent to Distribute Fentanyl and Aiding and Abetting the Same in
12 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2; and one count of
13 Possession with Intent to Distribute 50 grams or More of Actual (Pure)
14 Methamphetamine and Aiding and Abetting the Same in violation of 21 U.S.C. §
15 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2.

16
17 55. Nelson pled guilty to one count of Conspiracy to Distribute 40 Grams or
18 More of Fentanyl in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(b)(vi) and 846 on
19 January 25, 2023. ECF No. 159. Young also pled guilty to one count of Conspiracy to
20 Distribute 40 Grams or More of Fentanyl in violation of 21 U.S.C. §§ 841(a)(1),
21 (b)(1)(b)(vi) and 846 on February 21, 2023. ECF No. 175. The count to which both
22 Nelson and Young pled guilty arose out of their conspiracy to distribute fentanyl with
23 M-Flores. In their plea agreements, both Nelson and Young admitted that M-Flores
24
25
26
27
28
VERIFIED COMPLAINT FOR FORFEITURE *IN REM* -17

1 was a source of supply of fentanyl-laced pills for them. ECF No. 159 at 11; ECF No.
2 175 at 11. They also admitted that M-Flores supplied them fentanyl-laced pills during
3 the course of their conspiracy identified as occurring from at least July 2021 through
4 October 14, 2021. *Id.* Nelson and Young further admitted that M-Flores would supply
5 them approximately 500 pills per week at \$6 a pill (approximate total price of \$3,000)
6 for approximately four to five months prior to M-Flores's arrest. *Id.*

9 VI. CONCLUSION

10 WHEREFORE, Plaintiff requests that the Clerk of the Court issue a warrant for
11 the arrest of the Defendant property; that notice of this action be given to all persons
12 who reasonably appear to be potential claimants of interests in the property; that the
13 Defendant property be forfeited and condemned to the United States of America; that
14 Plaintiff be awarded its costs and disbursements in this action and for such other and
15 further relief as this Court deems proper and just.

16 DATED this 27th day of December 2023.

17
18
19
20 Vanessa R. Waldref
21 United States Attorney

22 s/ Brian M. Donovan
23 Brian M. Donovan
24 Assistant United States Attorney
25
26
27
28

VERIFICATION

I, Lindsey V. Wood, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Drug Enforcement Administration (DEA), in Tri-Cities, Washington that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except those matters herein stated to be alleged on information and belief, and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States and information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent.

I hereby verify and declare under penalty of perjury that the foregoing information is true and correct.

DATED this 26 day of December 2023.



Lindsey V. Wood, Special Agent
Drug Enforcement Administration